

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AURELIO MONTANO,

Plaintiff,

vs.

WEXFORD HEALTH SOURCES, INC., LESLIE  
WILKING, and MARLENA HENZE

Defendants.

CASE NO. 21-CV-06867

JUDGE ANDREA R. WOOD

**JOINT REASSIGNMENT STATUS REPORT**

Per the Court's July 16, 2024 Order (Dkt. 86), Plaintiff Aurelio Montano ("Plaintiff") and Defendants Wexford Health Sources, Inc., Leslie Wilking, and Marlena Henze ("Defendants") respectfully inform the court as follows:

**I. Nature of the Case**

Erik Connolly is the lead trial attorney for Plaintiff. Plaintiff's other attorneys of record are Christina Q. Almendarez, Meghan Golden, Samantha Haley Roth, and Olivia Elizabeth Sullivan. Defendants' attorneys of record are Matthew H. Weller and Bryan R. Findley.

All parties to this lawsuit have been served. This Court has federal question jurisdiction.

Plaintiff is incarcerated at the Illinois Department of Corrections (IDOC) at Stateville Correctional Center. He is seeking compensation for physical injuries, mental distress, and pain and suffering that he endured as a result of Wexford's failure to properly treat injuries he sustained when he was attacked while incarcerated on June 11, 2020.

**II. Discovery and Other Proceedings to Date**

The parties exchanged written discovery requests. Plaintiff served their responses to Defendants' discovery request on June 20th, 2024. Defendants discovery responses are forthcoming.

On July 3, the Court entered the following scheduling order: (1) fact discovery to close by November 1, 2024; (2) disclosure of plaintiff's expert and service of report due November 26, 2024;

(3) disclosure of defendants' expert/rebuttal expert and service of report due January 13, 2025; (4) expert discovery to close February 28, 2025; and (5) dispositive motions due by March 14, 2025. (Dkt. 84). The parties anticipate being able to complete discovery according to these deadlines.

Wexford filed a motion to dismiss on October 20, 2023. (Dkt. 49). This motion remains pending. Defendants Wilking and Henze filed their answer on January 9, 2024. (Dkt. 70). There have been no substantive rulings in this case.

### **III. Trial**

Plaintiff demanded a trial by jury. (Dkt. 1). A trial date has not been set. The parties anticipate being ready for trial by June 14, 2025. A final pretrial order has not been filed, nor is there a deadline for filing a final pretrial order. The trial is estimated to take one to two days.

### **IV. Referrals and Settlement**

This case has been assigned to Magistrate Judge Sheila M. Finnegan. The parties have not engaged in settlement discussions. The parties do not believe that a settlement conference would be productive at this time.

**Dated:** July 29, 2024

AURELIO MONTANO,

By /s/ J. Erik Connolly  
One of His Attorneys

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